

## Office of Professional Accountability (OPA)

### Commendations & Complaints Report

### January 2003

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#### Commendations:

Commendations Received in January: 66

Commendations Received to Date: 0066

Rank	Summary
Sergeant & Detective	Thank you to the officers that responded to Fred Hutchinson cancer Research Center; they were so professional
Detective	Thank you for conducting the investigation that lead to the recovery of stolen property worth thousands of dollars
Sergeant, Detective & 5 Officers	Thank you for participating in the Youth & Fitness Showcase
5 Officers	Thanks for escorting our students during the annual march to Wendy's for passing the WASL. You have made a positive impact on our students
Officer	Thank you for keeping our neighborhood safe
2 Sergeants	Thanks to the bicycle officers who provided crowd control during the SEIU protest
Officer & 2 Civilians	Thank you for your response to the Bank of America robbery and for recovery the stolen money
Sergeant	Thank you for fixing my tire while I was stranded at the airport; I don't know what I would have done if you didn't offer to help
Civilian	Safeco Corporate Security would like to thank SPD for the presentation to 100 Safeco employees on Personal Safety Awareness
Officer	Thank you for assisting with EVOC Instructor Training; your many talents and expertise were much appreciated
2 Officers	Thank you for your cooperation, participation, and preparation in a recent court case
Sergeant	Thank you very much for providing vigilant watch on our critical infrastructure
10 Officers	This case is a textbook example of how to do a complete and thorough investigation of a very serious incident. You all did a great job!
Officer	Thank you for responding to our call about a man in our house; you really comforted our daughter and made her feel safe again.
3 Officers	Excellent investigation and report on the assault case
Officer	Thank you for calming a domestic violence victim and for reassuring that the victim would be safe
6 Officers	Thank you for going above and beyond the call of duty regarding the missing persons case
2 Officers	Thank you for presenting at Seattle University
Communications Staff	I have the called the Communications Center on many occasions and I am always Pleased with their level of professionalism
Officer	Thank you for your assistance with the man that hit our car, you were very professional to all parties involved
Detective	I would like to commend you for your work ethic and dedication to the department
Sergeant	Thank you for participating on the oral board for Tacoma Police Department
Officer	Great job speaking before the House Criminal Justice & Corrections Committee; your presentation was well prepared and concise
Officer	Thank you for coming to our assistance after we were rear-ended; we appreciate the excellent service we received
Detective	Holy Names, Honors English class would like to thank you for the insightful, marvelously thought-provoking discussion

Civilian	Great job to the Dispatcher who assisted my aunt
Officer	Thank you for being so professional when you responded to an alarm call at my house
Officer	Thank you for handling a very awkward situation with professionalism and skill
Chief of Police and Civilian	Thank you for volunteering your time to the Salvation Army, Adult Rehabilitation Center
2 Officers	Thank you for taking us on the grand tour of the Harbor Patrol facility
Officer	Thank you for taking the time to talk to my son about his stolen books and soccer gear; they have been recovered
Detective	Thank you for speaking to Brighton Elementary School to commemorate the birthday of Martin Luther King, Jr.

### January 2003 Closed Cases:

*Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.*

*Cases are reported by allegation type. One case may be reported under more than one category.*

#### UNNECESSARY FORCE

Synopsis	Action Taken
Complainant alleged unnecessary force during her arrest for assaulting a store manager.	Investigation confirmed that the complainant, who was under the influence of illegal drugs, assaulted the store manager and two other witnesses. Fire personnel asked for police assistance with a combative patient. Five non-police witnesses stated that at no time did the officers kick or use any inappropriate force on the subject. The complainant did not cooperate further with the investigation. Finding – ADMINISTRATIVELY UNFOUNDED.
Complainant alleged named employee struck a protester during the August 2001 Reclaim the Streets protest, then pushed and pepper-sprayed the complainant.	Thorough investigation showed that the events described did occur, but were lawful and proper under the circumstances presented by this incident. Finding – EXONERATED.

#### OBEDIENCE TO RULES:

Synopsis	Action Taken
Complainant alleged an off-duty officer in his private vehicle stopped her for a traffic violation.	Investigation showed the officer did effect a traffic stop after a traffic altercation, contrary to department policy. Finding – SUSTAINED.

**SAFEGUARDING/MISHANDLING EVIDENCE/PROPERTY**

<b>Synopsis</b>	<b>Action Taken</b>
Complainant alleged the named officer failed to safeguard her property when she was booked into jail on a Seattle warrant after an arrest by another agency.	The investigation showed that the property—an alleged knife—was submitted to the Property Room for destruction. Though the manner in which this was done did not comply with formal policy, the submission was in accordance with longstanding practice, documented, and in good faith. Further, the knife would not have been returned to the complainant under any circumstances. Finding – EXONERATED.
The chain of command alleged that the named officer failed to place found property into evidence, and instead disposed of it.	Investigation showed that the officer had thrown the property, and empty purse valued at less than \$25, into the trash. Finding – Converted to Supervisory Referral (SR).

**CONDUCT UNBECOMING AN OFFICER**

<b>Synopsis</b>	<b>Action Taken</b>
Complainant alleged that video taken at a demonstration showed that the nametags of several officers were obscured by their radio microphones.	Despite repeated investigative efforts, the complainant failed to produce a copy of the alleged video or to respond to requests for contact. There were 88 officers working at the event, and without further cooperation or the video, further investigation is not possible. Finding – ADMINISTRATIVELY INACTIVATED.
Complainant alleged profanity by two officers during contact for narcotics investigation.	Investigation disproved the allegation as to one officer. Finding – UNFOUNDED. The evidence as to the other officer was inconclusive to prove or disprove the allegation. Finding – NOT SUSTAINED.
Complainant alleged an off-duty officer in his private vehicle stopped her in traffic and yelled at her.	The investigation showed the officer directed anger and hostility at the complainant. Finding – SUSTAINED.
Complainant alleged that the named officer, while working off duty in an SPD uniform, in a restaurant showed his duty weapon to several tourists who asked to see it and that he unloaded the weapon and allowed one individual to hold the weapon.	Investigation confirmed the conduct had occurred as described. Finding – SUSTAINED.

**FAILURE TO I.D. SELF**

Synopsis	Action Taken
Complainant alleged an officer refused to identify himself during an investigation of an assault.	Officer and civilian witnesses dispute the complainant's account. Finding – UNFOUNDED.

**FAILURE TO REPORT USE OF FORCE**

Synopsis	Action Taken
Complainant alleged that the named officer did not complete a use of force report for force used to arrest a resisting subject during the April 20 Reclaim the Streets event.	It is unclear whether the SPD Manual provision requires a use of force report for the type of force used, i.e., struggling to handcuff a passively resisting subject. However, here the officer described the force in the incident report and screened the arrest with two sergeants, both of whom advised that no use of force report was required. Finding – EXONERATED.

**FAILURE TO TAKE APPROPRIATE ACTION**

Synopsis	Action Taken
Complainant alleged officer failed to make a traffic collision report.	Investigation showed the situation involved a minor accident where a driver hit an unattended, parked vehicle. Department policy does not require a report under the circumstances of the case. Finding – EXONERATED.

**Definitions of Findings:**

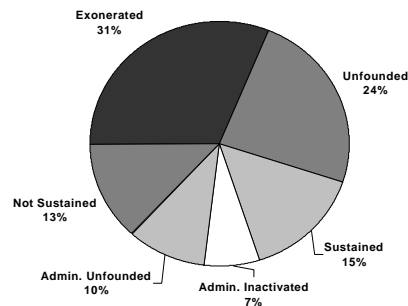
- **Sustained:** The allegation of misconduct is supported by the evidence.
- **Not Sustained:** The evidence neither proves nor disproves the allegation of misconduct.
- **Exonerated:** The event described did occur, and the actions taken by the officer(s) were lawful and proper.
- **Unfounded:** The allegation of misconduct did not occur as described.
- **Administratively Unfounded or Administratively Inactivated:** The case has a fundamental legal or procedural defect or the involved personnel cannot be identified. Inactivated cases may be re-opened if new information is received.

## Status of OPA Contacts to Date:

### 2002 Contacts

	December 2002	Jan. - Dec. 2002
Contact Logs	50	573
Cases Assigned for Supervisory Review	11	104
Cases Assigned for Investigation (IS; LI)	17	201
Cases Closed	14	106
Cases with a Sustained Allegation	4	19 (15%)
Commendations	27	1,416

**CHART A**  
**Dispositions of Allegations in Completed Investigations**  
**2002 Cases**  
**N=191 Allegations in 106 cases**



### 2003 Contacts

	January 2003	Jan-Dec 2003
Contact Logs	53	53
Cases Assigned for Supervisory Review	8	8
Cases Assigned for Investigation (IS;LI)	12	12
Commendations	66	66